

03-21-05

Rec'd 3643  
JFB

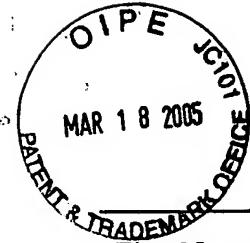
<p><b>Request For Continued Examination (RCE) Transmittal</b></p> <p>Submission (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Action of 1999 (AIPA).</p>	Application Number	10/764,224
	Filing Date	January 22, 2004
	First Named Inventor	Melvin Lee Jacobson
	Group Art Unit	3643
	Examiner Name	Kurt C. Rowan
	Attorney Docket No.	J274.12-0001
Mail to: Mail Stop RCE Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450	Express Mail No.	EV 485711129

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes of Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
  - a.  Previously submitted
    - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 24, 2005 (Any unentered amendment(s) referred to above will be entered).
    - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment/Reply
    - ii.  Affidavit(s)/Declaration(s)
    - iii.  Information Disclosure Statement (IDS)
    - iv.  Other \_\_\_\_\_
2. Miscellaneous
  - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. Other \_\_\_\_\_
3. Fees (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)
  - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0982.
    - i.  RCE fee required under 37 C.F.R. § 1.17(e)
    - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii.  Other \_\_\_\_\_
  - b.  Check in the amount of \$395.00 enclosed

Atty Name and Reg. No.	David R. Fairbairn, Reg. No., 26,047	Signature: 	Date: <u>3/18/05</u>
Address	Kinney & Lange, P.A. THE KINNEY & LANGE BUILDING 312 South Third Street Minneapolis, MN 55415-1002		
Telephone	(612) 339-1863		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Melvin Lee Jacobson

Appln. No. : 10/764,224

Filed : January 22, 2004

Title : DEVICE AND METHOD FOR REMOVING  
PESTS FROM SURFACE

Docket No. : J247.12-0001

Group Art Unit: 3643

Examiner:  
Kurt C. Rowan

**EXPRESS MAIL COVER SHEET**

Mail Stop RCE  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**  
Express Mail No.: EV 485711129 US

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and  
Trademark Office on the date shown below:

1. Check in the Amount of \$395.00;
2. Fee Transmittal Sheet (in duplicate);
3. Request For Continued Examination (RCE); and
4. Return Receipt Postcard.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 3/18/06

By

David R. Fairbairn, Reg. No. 26,047  
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312 South Third Street  
Minneapolis, MN 55415-1002  
Telephone: (612) 339-1863  
Fax: (612) 339-6580

DRF:ks

**FEE TRANSMITTAL**

A circular stamp with the words "SEARCHED" at the top, "MAR 18 2005" in the center, and "PATENT & TRADEMARK OFFICE" at the bottom.

Total Amount of Payment \$395.00

**METHOD OF PAYMENT (Check One)**

1. [X] The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No.11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2.  Check Enclosed

## **FEE CALCULATION**

**1. BASIC FILING FEE**

Appn. Type <u>PD.</u>	FILING FEE		SEARCH FEES		EXAM FEES	
	Fee/Small	Fee/Small	Fee/Small	Fee/Small	Fee	
Utility	300 / 150	500 / 250	200 / 100		—	
Design	200 / 100	100 / 50	130 / 65		—	
Reissue	300 / 150	500 / 250	600 / 300		—	
Provisional	200 / 100	-0- / -0-	-0- / -0-		—	
						Subtotal (1) \$00.00

## 2. EXTRA CLAIM FEES

	Number Claims	Prior**	Extra	Fee from Fee Paid Below
Total	<u>  *</u> -	<u>  *</u> =	<u>  *</u> X	<u>  *</u> = <u>  *</u>
Indep.	<u>  *</u> -	<u>  *</u> =	<u>  *</u> X	<u>  *</u> = <u>  *</u>
Multiple Dependent Claims				<u>  *</u> = <u>  *</u>

\*\*Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Description
1202	2202	50	25	Claims in excess of 20
1201	2201	200	100	Independent claims in excess of 3
1203	2203	360	180	Multiple Dependent Claim
1204	2204	200	100	Reissue Independent Claims Over Original Patent
1205	2205	50	25	Reissue claims in excess of 20 and over original patent

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 small) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R.

Signature Andrea G. Gaskins

David R. Fairbairn

Date 3/18/05

<i>Complete if Known</i>	
Application No.	10/764,224
Filing Date	January 22, 2004
First Named Inventor	Melvin Lee Jacobson
Group Art Unit	3643
Examiner Name	Kurt C. Rowan
Priority, Docket Number	J274.12-0001

#### **FEE CALCULATION (Continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	*
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*
1053	130	1053	130	Non-English specification	*
1812	2,520	1812	2,520	For Filing a Request for Reexamination	*
1251	120	2251	60	Extension for reply within first month	*
1252	450	2252	225	Extension for reply within second month	*
1253	1,020	2253	510	Extension for reply within third month	*
1254	1,590	2254	795	Extension for reply within fourth month	*
1255	2,160	2255	1,080	Extension for reply within fifth month	*
1402	500	2402	250	Filing a brief in support of an appeal	*
1403	1,000	2403	500	Request for oral hearing	*
1814	130	2814	65	Terminal Disclaimer Fee	*
1452	500	2452	250	Petition to revive - unavoidable	*
1453	1,500	2453	750	Petition to revive - unintentional	*
1501	1,400	2501	700	Utility/Reissue issue fee	*
1502	800	2502	400	Design issue fee	*
1460	130	1460	130	Petitions to the Commissioner	*
1807	50	1807	50	Petitions related to provisional applications	*
1806	180	1806	180	Submission of Information Disclosure Statement	*
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*
1801	790	2801	395	Request for Continued Examination (RCE)	395
Other fee (specify)					*

Subtotal (3) \$395.00